

**DOCKET FOR REGULAR COUNCIL MEETING OF
TUESDAY, JANUARY 30, 2001 AT 10:00 A.M.
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**DOCKET FOR REGULAR COUNCIL MEETING OF
TUESDAY, JANUARY 30, 2001 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101
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NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at 525-3602.

ITEM-1: ROLL CALL.

ITEM-10: INVOCATION.

ITEM-20: PLEDGE OF ALLEGIANCE.

SPECIAL ORDERS OF BUSINESS

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS:

Approval of Council Minutes for the meetings of:

1/8/2001 Special Meeting
1/9/2001

SPECIAL ORDERS OF BUSINESS

ITEM-31: Recognition and Presentation of Attorney of the Year 2000 Award to Deputy City Attorney Rick Duvernay.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1058)

Recognizing and commending Rick Duvernay on the occasion of his selection by San Diego City Attorney Casey Gwinn as the recipient of the 2000 Attorney of the Year Award;

Proclaiming January 30, 2001 to be "Rick Duvernay Day" in the City of San Diego.

SUPPORTING INFORMATION:

The attorneys in the San Diego City Attorney's Office Civil Division protect the quality of life and the public fisc of the people of San Diego by defending and prosecuting civil lawsuits, and advising and counseling the City. They provide legal services to the City with professionalism and excellence, focusing on:

1. Just, effective, and ethical lawyering;
2. Early intervention and proactive problem solving; and,
3. Promoting public awareness of legal issues affecting the people of San Diego.

The attorneys meet these goals with a dedicated staff in a challenging, congenial, cohesive, and professional working environment where everyone is treated with dignity and respect.

PURPOSE

The Attorney of the Year Award acknowledges and rewards the Civil Division Deputy City Attorney whose professional accomplishments, abilities, and contributions to the community best demonstrated and fulfilled the goals of the San Diego City Attorney's office during the last year.

NOMINATIONS

Anyone may nominate any deputy in the Civil Division who meets the eligibility requirements. Nominations must be submitted in writing to Anita Noone by 5:00 p.m. on October 20, 2000.

ELIGIBILITY

- Deputy in the Civil Division (including Head Deputies and Senior Deputies)
- Full-time or part-time
- Employed as a deputy for all of the 2000 calendar year

Noone/Swett

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject**, regardless of the number of those wishing to speak. Submit requests to speak to the Mayor or the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL COMMENT

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue specific items.

CONSENT ITEMS

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*). In addition, other items thought to be routine or non-controversial and without any "Request to Speak" slips in opposition may be taken as part of the Consent Agenda.

PLEASE NOTE: ITEMS PULLED FROM THE CONSENT AGENDA (ITEMS 50 - 104) WILL BE DISCUSSED FOLLOWING ACTION ON THE ADOPTION AGENDA (ITEMS 200 - 206).

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

Item 50.

RESOLUTIONS TO BE ADOPTED:

Items 100, 101, 102, 103 and 104.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

* ITEM-50: Office Space Lease Amendment - Executive Complex Building.

(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/16/2001. (Council voted 7-0. Councilmember Stallings not present and District 8 vacant.):

(O-2001-98)

Authorizing the City Manager to execute a Third Amendment to Lease with Executive One Associates for additional office space of approximately 2,552 square feet on the 13th floor of the Executive Complex Building, for the Employee Assistance Program, commencing December 1, 2000, for a term of approximately 13 years, at an initial monthly rent of \$3,419.68;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$24,473.68 from Fund 50061, Department 084, for rent from the FY2001 budget.

NOTE: **6** votes required pursuant to Section 99 of the City Charter.

Aud. Cert. 2100740.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

* ITEM-100: Developer Fees FY 2000 Annual Report.

(See City Manager Report CMR-01-010.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1050)

Accepting the Developer Fees Fiscal Year 2000 Annual Report and making findings related to unexpended balances as required by California Government Code Section 66001.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

* ITEM-101: Amending FY 2001 Capital Improvement Programs Budget - Scripps Ranch

Neighborhood Park III - Comfort Station.

(Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-959)

Authorizing the City Auditor and Comptroller to add CIP-29-421.0, Scripps Ranch Neighborhood Park III - Comfort Station, to the FY 2001 Capital Improvements Program Budget;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$90,000 from the Village and Country Settlement Fund, Fund No. 10604 for use on CIP-29-421.0, Scripps Ranch Neighborhood Park III - Comfort Station;

Declaring that if the property owners in the District, through a ballot protest procedure, do not support the maintenance of the comfort station, the City Manager shall ensure that the comfort station is removed from the Park.

CITY MANAGER SUPPORTING INFORMATION:

The Scripps Ranch Neighborhood Phase III Park is located in the Miramar Ranch North Community. The community has requested the construction of a small comfort station due to the park's location in relation to the residents it serves. The proposed comfort station would be a pre-fabricated, modular unit which would be connected to the City sanitary sewer system. Since the requested comfort station does not meet Park and Recreation standards, in terms of size and materials, the facility will be ultimately maintained by the community through their Maintenance Assessment District fees. The Maintenance Assessment District will need to be amended to include authorization of maintenance in a population based park. If the Maintenance Assessment District language has not been adjusted by the completion of the project construction, maintenance of the comfort station is anticipated to be funded by the Country Settlement Fund, Fund No. 10604 on an interim basis. This interim funding is estimated to not exceed \$6,000 and would cover project maintenance costs for up to two years and will require City Council approval. The Village & Country Settlement Fund was established pursuant to a settlement agreement between the Village & Country properties and the City in August, 1992. According to the agreement and the Planned Residential Permit No. 88-0767, the funds are to be used to finance projects within the communities of Scripps Miramar Ranch and Miramar Ranch North.

FISCAL IMPACT:

Funding in the amount of \$90,000 is available in the Village and Country Settlement Fund, Fund

No. 10604 for this purpose.

Loveland/McLatchy/DVW

Aud. Cert. 2100631.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

- * ITEM-102: Amending FY 2001 Capital Improvements Program Budget - Bayview Terrace Elementary School Joint Use Facility.

(Pacific Beach Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1039)

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$234,597 from Capital Outlay Funds, Fund No. 30244, for use on Bayview Terrace Elementary School - Joint Use Facility, CIP-29-836.0.

CITY MANAGER SUPPORTING INFORMATION:

This project will provide a 5.6 acre recreational facility at Bayview Terrace Elementary School, located between Grand Avenue and Fogg Street, west of Rose Creek in Pacific Beach, a community deficient in park land per General Plan standards. The proposed facility will be developed and maintained through a twenty-five (25) year lease and joint use agreement with the San Diego Unified School District (District). This action will add \$234,597 to previously authorized funding of \$620,403, which was approved by the City Council on October 16,2000 (Ordinance No. 0-18868), to implement the project.

FISCAL IMPACT:

Funds are available in the amount of \$234,597 from Capital Outlay Funds, Fund No.30244 for this purpose. Project development of Phase I will proceed when construction documents are complete. Annual maintenance costs pursuant to the Joint Use Agreement are estimated to be \$43,478. The funding for these costs will be requested as a new Park and Recreation facility in the Fiscal Year 2002 budget process.

Loveland/McLatchy/VW

Aud. Cert. 2100759.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-103: Contract for Police Officers at Sweetwater Union High School District.

(District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1019)

Authorizing the City Manager to execute one agreement with the Sweetwater Union High School District, to provide a San Diego Police Juvenile Services Team officer with primary responsibility to provide police services at the District's five secondary schools located in San Diego.

CITY MANAGER SUPPORTING INFORMATION:

In past years, crime and violence have increased within our public schools. School districts and law enforcement officials continue to work as partners to ensure the safety of all school children. Sweetwater Union High School District has five secondary schools located within the City limits. The City currently provides one Juvenile Services Team officer for these schools. Sweetwater Union High School District wishes to contract for an additional Juvenile Services police officer.

General conditions of the agreement are:

- 1) The City provides an additional Juvenile Services Team officer to provide a uniformed presence in and around school campuses.
- 2) The City will be reimbursed for half the cost of providing a POII plus supervision and the pro-rated equipment cost.
- 3) The City agrees to furnish normal police equipment and vehicle.
- 4) The City agrees the officer will develop presentations, attend meetings, continue community work, and provide pro-active enforcement during regular school hours.
- 5) This contract is for the remainder of Fiscal Year 2001 with an option to renew for an additional four (4) years.

FISCAL IMPACT:

The City's reimbursement from Sweetwater Union High School District will be the pro-rated portion of \$54,341 based on the date of the agreement. This amount will be adjusted annually upon renewal.

Uberuaga/Bejarano/GD

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

- * ITEM-104: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2001-1034)

Declaring a continued state of emergency regarding the discharge of raw sewage from Tijuana, Mexico.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:**

- ITEM-200: Two actions related to Awarding a Contract and Authorizing Funds for the Mission Valley Branch Library.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-809 Cor. Copy)

Authorizing the City Manager to execute a contract with KVAAS Constructors, the lowest responsible bidder, for the construction of the Mission Valley Branch Library, in the amount not to exceed \$5,129,808, contingent upon certification by the Auditor of funds being available;

Amending the FY01 CIP budget to reflect the increased appropriation of \$700,000 into CIP-35-092.0;

Authorizing the appropriation of \$700,000 from DIF Fund No. 79529 Mission Urban Comm., to CIP-35-092-0, Mission Valley Branch Library, to supplement Resolution R-293908, for construction of the Mission Valley Branch Library;

Authorizing the expenditure, not to exceed \$700,000 from CIP-35-092.0, for the project and related costs;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budget funds, if any, to DIF Fund No. 79529.

Subitem-B: (R-2001-810 Cor. Copy)

Stating that the Environmental Impact Report LDR-96-0544, covering this activity, adopted on April 21, 1998 by Resolution Nos. R-289994 to R-289998, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations Section 15000 et seq.), that the report reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with the approval of the Mission Valley Branch Library;

Directing the City Clerk to execute and file a Notice of Determination in connection with the project.

CITY MANAGER SUPPORTING INFORMATION:

The Mission Valley Branch Library will be a new 19,760 sq. ft. branch library located at 2123 North Mission City Parkway. The library will consist of main reading rooms, community meetings rooms, computer laboratory, children's library, staff section, terrace, and an audiovisual aids area. On October 31, 2000, 10 bids were received. The bids ranged from \$5,979,000 as the highest, and \$5,129,808 as the lowest. The lowest acceptable bid of \$5,129,808 was 22% over the engineer's estimate of \$4,200,000. Inherent in the high bids were the following additional construction and landscaping costs not reflected in the engineer's estimate: Extensive architecture details to the library's structure, and additional landscaping for the area surrounding the library to mitigate the comments and concerns of the various reviewing committees after the engineer's estimate was submitted for the Council's approval; and the increase in the construction market prices. Due to these factors, it is not anticipated that the readvertisement will result in any savings to the City. Therefore, staff recommends that this project be awarded to the apparent low bid contractor, KVASS Construction, for the amount of \$5,129,808. During FY 2001, \$250,000 in donations was received to Fund # 67033. It is anticipated that the remaining \$400,000 in

donations will be received upon ground breaking.

FISCAL IMPACT:

The total cost for this Project is now \$6,447,683; \$5,497,683 was previously authorized (R-293908) for this project. The additional \$700,000 is available from the Fund #79529, CIP-35-092.0, Mission Valley Community. An additional \$250,000 will be appropriated when available, in fiscal year 2002.

Belock/Boekamp/AO

Aud. Cert. 2100730.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:**

ITEM-201: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Sevan Court Accelerated Sewer Project.

(Serra Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-807)

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sevan Court Accelerated Sewer Project on Work Order No. 175831;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$1,328,563 from Sewer Fund 41506, CIP-46-206.5, Annual Allocation - Emergency and Accelerated Project, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K01047C)

Subitem-B: (R-2001-808)

Certifying that LDR Mitigated Negative Declaration LDR-40-0276 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of Construction of Sevan Court Accelerated Sewer Project;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving the LDR Mitigated Declaration;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sevan Court Accelerated Sewer Project will replace approximately 3,646 linear feet of existing 8-inch VC sewer mains. The existing sewer mains were installed approximately in 1960 and now have experienced an increased amount of blockages due to debris and pipe deterioration. Also, currently the existing sewer main is located in a canyon which makes it prone to wash-outs. This project will eliminate these blockages, provide a more reliable sewage collection system, and the new sewer alignment re-directs flow away from the canyon. In addition, fourteen (14) new pedestrian ramps will be constructed and the streets within the project area will be slurry sealed from curb-to-curb. This project lies in the Serra Mesa area on Macaw Lane from Finch Lane to Redbird Drive; Redbird Drive from Macaw Lane to Cardinal Drive; Cardinal Drive from Redbird Drive to Bobolink Way. The work will affect Mission Valley Road. Residents will be notified by mail at least one month before construction begins by the City and again ten days before construction begins by the contractor through hand distribution. This contract includes the wetlands mitigation for the Sevan Court Emergency Repair Project (construction completed last year). The specific wetlands mitigation requirements are pending the approval of "After the Fact" Department of Fish and Game, Army Corps of Engineers, and site development permits. These permits will be obtained before construction of this project begins.

FISCAL IMPACT:

The total estimated construction and related costs are \$1,328,563. Funding is available in Fund 41506, CIP-46-206.0, Annual Allocation - Emergency and Accelerated Projects, for this purpose.

Belock/Boekamp/HR

WWF-01-479.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:**

ITEM-202: Emergency Housing Assistance Grant Application.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1029)

Authorizing the application to the State of California, Department of Housing and Community Development, for a deferred loan for capital development through their Emergency Housing Assistance Program (EHAP).

CITY MANAGER SUPPORTING INFORMATION:

The California Department of Housing and Community Development is accepting applications for its Emergency Housing Assistance Program (EHAP) Capital Development Deferred Loans program. These funds are available as forgivable deferred loans for Capital Development to acquire, build, or rehabilitate emergency and transitional homeless shelters. The City of San Diego is applying for a \$500,000 deferred loan. These funds will be used to cover a portion of the costs for acquisition of the Days Inn at 1449 9th Avenue for the year-round short-term homeless family transitional facility. The California Department of Housing and Community Development requires that the City Council adopt a Resolution before 02/28/2001, authorizing the City Manager or his designee to apply for funding under this program.

FISCAL IMPACT:

The California Department of Housing and Community Development will provide a \$500,000 deferred loan. Loan interest is 3%, simple interest for 10 years. Principal and interest are deferred for the term of the loan as long as the project is used as transitional housing and will be converted to a grant when all loan terms are met.

Herring/Cunningham/SLJ

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:**

ITEM-203: Mid City Transit Gateways Project.

(See City Manager Report CMR-01-009. Mid City, City Heights, Normal Heights and Talmadge Community Areas. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1044)

Authorizing the City Manager to accept Program Supplement No. 155-M to cover Preliminary Engineering for the Mid City Transit Gateways Project;

Authorizing the reprogramming of \$80,290 from savings remaining in CIP-39-209 (El Cajon Blvd. Commercial Revitalization: I-805 to 54th Street) to CIP-39-232 (Mid City Transit Gateways Project;

Authorizing the appropriation and expenditure of \$700,000 in CIP-39-232.0, Mid City Transit Gateways Project, \$619,710 from TEA21 grant (Fund No. 38610) and \$80,290 from TransNet (Fund No. 30300);

Approving the Agreement between the City and KTU+A, and authorizing the expenditure of \$400,000 for design services related to the Mid City Transit Gateways Project (CIP-39-232.0) from Fund No. 38610.

Aud. Cert. 2100777.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:**

ITEM-204: Application for State of California CalHome Program Funding.

(See San Diego Housing Commission Report HCR-01-011.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1045 Cor. Copy)

Authorizing the application to the California State Department of Housing and Community Development for funding up to \$1,000,000 under the CalHome Program; the execution of Standard Agreement(s) if selected for the funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-205: Reimbursement Agreement for Construction of Del Mar Mesa Road.

(Del Mar Mesa Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1031)

Authorizing the City Manager to execute a Reimbursement Agreement with Westshaw Associates, LP, for the design and construction of Del Mar Mesa Road;

Authorizing the appropriation and expenditure in an amount not to exceed \$579,266.42 from Facilities Benefit Assessment (FBA) Fund 79010 for providing funds for the above project, contingent upon the availability of FBA revenues at the time reimbursement is scheduled and payable thereafter only if and when such FBA revenues become available for reimbursement.

CITY MANAGER SUPPORTING INFORMATION:

Westshaw Associates, LP, is constructing a portion of Del Mar Mesa Road (formerly Shaw Ridge Road) as a condition of Tentative Map TM-89-1296. This project has been scheduled for construction/reimbursement in the Fiscal Years 2001 and 2002 in the proposed FY 2001 Del Mar Mesa Public Facilities Financing Plan (Project 43-3). Westshaw Associates, LP, is therefore entitled to reimbursement from FBA Fund 79010 as indicated in the reimbursement agreement.

FISCAL IMPACT:

An estimated \$579,266.42 from Facilities Benefit Assessment Fund No. 79010 is anticipated to be available for reimbursement in FY 2001/2002.

Loveland/Goldberg/GH

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-206: Reimbursement Agreement for Construction of Del Mar Mesa Road and Hiking/Equestrian Trail-Northern.

(Del Mar Mesa Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1030)

Authorizing the City Manager to execute a Reimbursement Agreement with Carmel Valley 18, LLC, for the design and construction of Del Mar Mesa Road and Hiking/Equestrian Trail-Northern;

Authorizing the appropriation and expenditure in an amount not to exceed \$2,202,758.57 from Facilities Benefit Assessment (FBA) Fund 79010 for providing funds for the project, contingent upon the availability of FBA revenues at the time reimbursement is scheduled and payable thereafter only if and when such FBA revenues become available for reimbursement.

CITY MANAGER SUPPORTING INFORMATION:

Carmel Valley 18, LLC, is constructing a portion of Del Mar Mesa Road (formerly Shaw Ridge Road) as a condition of Tentative Map TM-96-7286. This project has been scheduled for construction/reimbursement in the Fiscal Years 2001 and 2002 in the proposed FY 2001 Del Mar Mesa Public Facilities Financing Plan (Project 43-3). The developer is also constructing a portion of the Hiking/Equestrian Trail-Northern (Project 43-10), which is scheduled in the Financing Plan for construction/reimbursement in the Fiscal Years 2001-2003. Carmel Valley 18, LLC is, therefore, entitled to reimbursement from FBA Fund 79010 as indicated in the reimbursement agreement.

FISCAL IMPACT:

An estimated \$2,179,692.07 from Facilities Benefit Assessment Fund No. 79010 is anticipated to be available for reimbursement in FY 2001/2002 for Project 43-3 and an estimated \$23,066.50 is anticipated to be available in FY 2001 for Project 43-10.

Herring/Goldberg/GH

ITEMS PULLED FROM CONSENT AGENDA

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT